

1 TIMOTHY COURCHAINE
 2 United States Attorney
 3 District of Arizona
 4 AMY C. CHANG
 5 Arizona State Bar No. 027566
 6 RAYMOND K. WOO
 7 Arizona State Bar No. 023050
 8 M. BRIDGET MINDER
 9 Arizona State Bar No. 023356
 10 Assistant United States Attorneys
 11 Two Renaissance Square
 12 40 N. Central Ave., Suite 1800
 13 Phoenix, Arizona 85004
 14 Telephone: 602-514-7500
 15 Email: amy.chang@usdoj.gov
 16 Email: raymond.woo@usdoj.gov
 17 Email: bridget.minder@usdoj.gov

18 JOHN EISENBERG
 19 Assistant Attorney General
 20 National Security Division
 21 LESLIE C. ESBROOK
 22 New York State Bar No. 5406301
 23 District of Columbia Bar No. 1670737
 24 CHRISTOPHER M. COOK
 25 District of Columbia Bar No. 90013354
 26 Trial Attorneys
 27 Counterintelligence and Export Control Section
 28 950 Pennsylvania Ave, NW
 29 Washington, DC 20530
 30 Email: Leslie.Esbrook@usdoj.gov
 31 Email: Christopher.Cook7@usdoj.gov
 32 Attorneys for Plaintiff

33 IN THE UNITED STATES DISTRICT COURT
 34 FOR THE DISTRICT OF ARIZONA

35 United States of America,

36 CR-24-00394-PHX-SPL

37 Plaintiff,

**GOVERNMENT'S NOTICE
OF INTENT TO INTRODUCE
OTHER ACTS EVIDENCE**

38 vs.

39 Abraham Chol Keech, et al.,

40 Defendants.

41 The United States provides notice of intent to introduce evidence of other acts that
 42 are direct and inextricably intertwined with the offenses charged in the Superseding

1 Indictment or alternatively, are admissible pursuant to Rule 404(b). This evidence includes
2 information regarding (1) defendants' efforts to procure weapons and ammunition from
3 sources other than the undercover agents; and (2) defendants' previous efforts to effect a
4 non-democratic regime change in South Sudan.

5 The Superseding Indictment alleges that from February 2023 to March 2024,
6 defendants communicated with undercover agents posing as Phoenix-based weapons
7 dealers (the UCs) to buy export-controlled, military grade weapons and export them to
8 South Sudan in furtherance of a non-democratic regime change. The Superseding
9 Indictment alleges violations of four separate export laws in connection with the scheme.
10 (Doc. 71.)

11 During several recorded communications with the UCs, defendants told the UCs
12 that defendants and/or their colleagues had discussed procuring weapons from other
13 sources, including weapons suppliers in Europe and Africa. (*See, e.g.*, Bates 5174, 5194,
14 5195.) In addition, in reviewing defendants' cellular telephones, investigators identified
15 communications regarding previous efforts to overthrow the current South Sudanese
16 government. (*See, e.g.*, Bates 4658.) Additional witnesses—who would only be called in
17 rebuttal, if needed—have similarly told investigators that Ajak sought to conduct a coup in
18 early October 2023, before his first interaction with the UCs. (*See, e.g.*, Bates 8478 – 8765;
19 Bates 12198 – 12201.)

20 Evidence of defendants' efforts to procure weapons from other sources—along with
21 previous efforts to effect a non-democratic regime change—is directly relevant to the
22 charged conduct and is inextricably intertwined with the offenses in the Superseding
23 Indictment. To the extent, however, that these efforts are construed as other acts or wrongs,
24 the information is independently admissible under Rule 404(b) for the purpose of
25 establishing defendants' intent, motive, preparation, plan, knowledge, and absence of
26 mistake or accident. If defendants raise an entrapment defense, the information is also
27 admissible regarding predisposition, as the evidence demonstrates that defendants were
28 simultaneously exploring other weapons suppliers in Europe and Africa and had previously

1 sought a regime change in South Sudan. Because the evidence has probative value other
2 than for criminal character and is not unfairly prejudicial, it is admissible at trial. Fed. R.
3 Evid. 404(b); Fed. R. Evid. 403.

4 Respectfully submitted this 1st day of August, 2025.

5 **TIMOTHY COURCHAINE**
6 United States Attorney
District of Arizona

7 *s/Amy C. Chang* _____
8 **AMY C. CHANG**
9 RAYMOND K. WOO
M. BRIDGET MINDER
10 Assistant U.S. Attorneys

11 **LESLIE C. ESBROOK**
12 **CHRISTOPHER M. COOK**
13 Trial Attorneys, National Security Division

14 **CERTIFICATE OF SERVICE**

15 I hereby certify that on August 1, 2025, I electronically transmitted the attached
16 document to the Clerk's Office using the CM/ECF System for filing a copy to the following
17 CM/ECF registrants:

18 Richard C. Bock and Dominic Rizzi, *Attorneys for Abraham Keech*
Kurt Altman, *Attorney for Peter Ajak*

19 *s/Theresa Hanson*
20 U.S. Attorney's Office